

LABOUR DEPARTMENT

The 28th November, 1980

No. 11(112)-89-8Lab/1219.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s D.K. Steel Rolling Mill, Bahadurgarh.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 103 of 1979

between

SHRI JAGBIR, WORKMAN AND THE MANAGEMENT OF M/S D.K. STEEL ROLLING MILL,
Present.— BAHADURGARH

None from either side.

AWARD

This reference No. 103 of 1979 has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/RTK/67-79/18264, dated 3rd May, 1980, under section 10(i)(c) of the I. D. Act, 1947, for adjudication of the dispute existing between Shri Jagbir, workman and the management of M/s D. K. Steel Rolling Mill, Bahadurgarh. The term of reference was :—

Whether the termination of services of Shri Jagbir was justified and in order ? If not to what relief is he entitled ?

On the receipt of the order of reference notices as usual were sent to the parties. The parties put in their appearance in response to the same on 20th June, 1979. The workman did not file the statement of claim and prayed that his demand notice be treated as claim statement. The management filed the written statement on 17th August, 1979. The workman filed his rejoinder and issues were framed on 14th November, 1979. The management was asked to lead their evidence. The management filed a photo copy of the statement of the workman and the case was adjourned for admission and denial of the same by the workman. After getting several adjournments for the same and management was proceeded against *ex parte* on 13th June, 1980, when no one authorised by the management appeared. The *ex parte* evidence of the workman was not present on 5th July, 1980 and the management filed the application for setting aside the *ex parte* order passed on 13th June, 1980. Notices of the application were sent to the parties for 30th September, 1980, when no one appeared on 22nd August, 1980. The authorised representative of the workman appeared on 30th September, 1980, but no one appeared on behalf of the management. The application for setting aside of the *ex parte* order was dismissed and the case was again fixed for *ex parte* evidence of the workman for 17th October, 1980. On this date of hearing none appeared on behalf of either parties. Neither the workman nor his authorised representative were present when the case was taken up at 4-10 p. m. Previously also on 22nd August, 1980, none appeared on both the sides and adjournments for *ex parte* evidence was obtained by the workman earlier too. The workman had been given enough opportunities to adduce his *ex parte* evidence but he does not seem to be interested in pursuing the reference leading me to arrive at the conclusion that in reality there is no dispute between the parties as is obvious from the proceedings recorded on the file. Under these circumstances I hold that the order of termination of the services of the workman is justified and in order. The workman is not entitled to any relief. I answer the reference while returning the same in these terms. No order as to costs.

Dated the 20th October, 1980.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

Endst. No. 2645, dated the 1st November, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.